



17 MAR 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Supervisor, Patent Prosecution Services
DLA PIPER RUDNICK GRAY CARY US LLP
1200 Nineteenth Street, NW
Washington, DC 20036-2412

| | | |
|--|---|----------|
| In re Application of ROQUINY | : | |
| U.S. Application No.: 10/532,018 | : | |
| PCT Application No.: PCT/EP03/50745 | : | |
| Int. Filing Date: 22 October 2003 | : | DECISION |
| Priority Date Claimed: 22 October 2002 | : | |
| Attorney Docket No.: 4004-069-30 NATL | : | |
| For: ELECTRICALLY HEATABLE SOLAR | : | |
| REFLECTIVE COATED GLAZING . . . | : | |

This is in response to applicant's "Request for Reconsideration" filed 10 March 2006.

BACKGROUND

On 22 October 2003, applicant filed international application PCT/EP03/50745, which claimed priority of an earlier European Patent Office application filed 22 October 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 06 May 2004. The thirty-month period for paying the basic national fee in the United States expired on 22 April 2005.

On 20 April 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 22 September 2005, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 21 November 2005, applicant filed a response, requesting that the Notification of Missing Requirements be vacated.

On 24 January 2006, the Office mailed a decision dismissing the 21 November 2005 request.

On 10 March 2006, applicant filed the present renewed request.

DISCUSSION

The renewed request states that a proper declaration under PCT Rule 4.17 was filed in international application PCT/EP03/50745. Applicant's representative has personally attested to the presence of the international application number on the declaration at the time of execution.


CONCLUSION

For the reasons above, the renewed request is GRANTED.

The Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed 22 September 2005 is hereby VACATED.

The application has an International Filing Date under 35 U.S.C. 363 of 22 October 2003, and a date under 35 U.S.C. 371(c) of 20 April 2005.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.



Bryan Tung
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459